

**MARLBORO TOWNSHIP PLANNING BOARD**

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**JUNE 5, 2013**

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**THE MEETING OF THE MARLBORO TOWNSHIP PLANNING BOARD WAS CALLED TO ORDER BY THE PLANNING BOARD CHAIRMAN LARRY JOSEPHS AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 8:00P.M.**

**MR. JOSEPHS READ THE MEETING NOTICE, ADEQUATE NOTICE PURSUANT TO THE OPEN PUBLIC MEETING ACT OF 1977 HAS BEEN GIVEN OF THIS MEETING BY PUBLICATION IN THE ASBURY PARK PRESS, AND BY POSTING IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO AND FILED IN THE TOWNSHIP CLERK' s OFFICE.**

**ROLL CALL**

**PRESENT ... MR. BARENBURG, MR. BERGH, MR. GUPTA (left 9:00),  
MR. JOSEPHS, COUNCILMAN METZGER, MR. ELMANSOURY,  
MR. MESSINGER**

**ABSENT... MR. BETOFF, MR. PARGAMENT, MR. POLLAK, MR.  
ROSENWALD**

**PROFESSIONALS PRESENT... MS. NEUMANN, MR. HERBERT**

**SALUTE THE FLAG**

Mr. Messinger will be sitting in for Mr. Betoff

**CITIZENS VOICE**

No one from the public spoke.

**ORDINANCE 2013-12 – REZONING BLOCK 213 LOTS3 & 4**

Ms. Neumann stated that the July 2012 Master Plan Re-Examination Report recommended that the property known as Block 213 Lots 3 & 4 be rezoned from its current OPT-2 to C-2 zone.

The site is located near the intersection of Route 79 and Route 520. The proposed C-2 zoning is consistent with the adjacent property at this intersection.

A motion in the affirmative was offered by Councilman Metzger, seconded by Mr.Barenburg. In favor: Mr. Barenburg, Mr.Bergh, Mr.Gupta, Mr. Josephs, Councilman Metzger, Mr.Messinger.

A motion for Mr. Herbert to prepare a resolution was offered by Mr. Bergh, seconded by Mr. Barenburg. In favor: Mr. Barenburg, Mr. Bergh, Mr. Gupta, Mr. Josephs, Councilman Metzger, Mr. Messinger.

#### **ORDINANCE 2013-14 - PORTABLE STORAGE UNITS**

Ms. Neumann stated that the Council wishes to amend the Zoning Standards and Regulations regarding "Portable Storage Units", to regulate the use and placement of temporary storage units within the Township.

Ms. Neumann stated these changes would be consistent with the Master Plan.

A motion in the affirmative was offered by Mr. Bergh, seconded by Mr. Gupta. In favor: Mr. Barenburg, Mr. Bergh, Mr. Gupta, Mr. Josephs, Councilman Metzger, Mr. Messinger.

A motion for Mr. Herbert to prepare a resolution was offered by Mr. Barenburg, seconded by Mr. Gupta. In favor: Mr. Barenburg, Mr. Bergh, Mr. Gupta, Mr. Josephs, Councilman Metzger, Mr. Messinger.

#### **P.B. 1087-13 DR. SADON & DR. RIDLIVSKY – MEMORIALIZATION OF RESOLUTION GRANTING PRELIMINARY SITE PLAN APPROVAL**

A motion in the affirmative was offered by Mr. Gupta, seconded by Mr. Barenburg. In favor: Mr. Barenburg, Mr. Bergh, Mr. Gupta, Mr. Josephs, Councilman Metzger.

#### **P.B. 970-06A K. HOVNANIAN SHORE ACQUISITIONS – CONVERSION APPLICATION**

Michael Herbert, Esq. noted that the affidavit of publication and notice to adjoining property owners have been reviewed and are in order, therefore, the Board has the jurisdiction to hear this matter.

Mr. Herbert advised the Board that the Superior Court ruled that in voting on this application, the Board members can only consider whether the developer offers a sufficient plan to lessen the negative criteria.

Kenneth Pape, Esq. represented the applicant. The site is a total of 75.5 acres within the MFD-II zone, Block 148 Lot 31, Block 149 Lot 16, Block 150 Lots 2, 3, 4 & 9 and Block 151 Lot 4. It contains road frontage on Route 79, Tennent Road and Church Lane. Currently the site is vacant and wooded and traversed the following easements:

- 150 ft. wide JCPL Right of Way, which contains a portion of the Henry Hudson Trail
- 30 ft. wide sanitary sewer easement which runs from Route 79 to Tennent Road

Further portions of the tract are encumbered by wetland areas with two surface bodies.

On September 17, 2008, the applicant was granted Preliminary Major Subdivision and Site Plan Approval to subdivide the property into 176 new lots as follows:

- 168 lots for age restricted
- 1 lot for low to moderate income, multi-family housing, which will consist of 50 units

- within (2) 3 story buildings
- 1 lot for a clubhouse building with tennis court and pool
- 6 lots for open space stormwater management purposes

The lots will be serviced by public water and sanitary sewer services via extensions of the existing mains with Tennent Road.

Currently the applicant is seeking amended approval to convert the approved development to Senate Bill #2577, from being an age restricted community to a non-age-restricted development.

Sworn in were the following professionals:

David Fisher – Hovnanian – Vice President\  
Gary Vecchio, P.E. Taylor Weiseman & Taylor  
David Horner – Traffic Expert Horner & Canter Assoc.  
Joseph Lipanovski – Architect

Entered into evidence were exhibits A-1 thru A-15

Mr. Fisher said the plans now call for the number of single family homes to be reduced from 168 To 144. This came in response to changes in state environmental regulations. The applicant Plans to fill a smaller portion of the site's wetlands and to cross a stream with an emergency access road in one area, instead of two. The size of the clubhouse that would serve the market rate homes will be reduced to lessen the intense of the use. Fees collected by a homeowners association would pay for the maintenance.

Mr. Lipanovski, architect for the applicant said most of the single family homes will have three bedrooms. The affordable housing component of the site will not change from what was previously approved. There will be two three story buildings with a total of 50 apartments. A clubhouse will be added for the residents of the affordable housing section.

Mr. Horner, Traffic Expert, said the applicant has met the standards for parking and traffic.

Mr. Pape stated that special circumstances apply to traffic standards for conversion applications and the applicant has satisfied those requirements.

The Board asked the applicant to bring more specific figures to the next meeting. The applicant agreed.

#### **PUBLIC HEARING OPENED**

The following residents spoke:

Richard Van Pelt – 93 Tennent Road  
Tim Tierney – 85 Tennent Road

They had concerns with flooding and damage done to their property during construction.

Mr.Fisher has been in touch with these residents and will continue to do so in the interest of being a “good neighbor”.

The applicant will have their planner present at the next meeting.

This application is being carried to the meeting of June 19, 2013, without further notice.

A motion to adjourn was offered by Mr. Elmansoury, seconded by Mr. Bergh. One vote was cast.

Respectfully submitted

Donna Pignatelli